

REMARKS

The remarks below respond to the Office Action mailed August 15, 2003.

Claims 8-14 and 46-60 are pending in the application. With this response, claim 46 has been amended. Claims 61-65 been added. Claims 8-14 and 46-65 remain for consideration.

Enclosed is a check in the amount of \$72.00 for additional claims. If any additional fee is required, please charge Deposit Account No. 50-1775 and notify the undersigned of the same.

REQUEST FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Applicant respectfully petitions the Commissioner for Patents to extend the time for response to the Office action mailed August 15, 2003, for two months from November 15, 2003, to January 15, 2004.

Enclosed is a check for \$420.00. Please charge any additional fees to Deposit Account No. 50-1775.

Reconsideration and allowance of the claims, as amended, and in light of the following remarks, are respectfully requested.

Claim Rejections - 35 U.S.C. § 102

Claims 8-14 and 46-60 are rejected under 35 U.S.C. 102(e) as being anticipated by Stinson (US 6,245,103).

According to the rejection:

A bioresorbable self expanding stent comprising a blend of at least two bioresorbable homopolymers is disclosed by Stinson.

The rejection is traversed for claims that feature a fenestrated or extruded embodiment of a stent. To anticipate a claim, a single reference must identically teach every element of a claims. Applicants' claims that feature fenestrated or extruded stents comprising a blend of homopolymers are not anticipated by the Stinson reference, because, e.g., the Stinson reference describes braided stents. Claims that feature fenestrated or extruded stents include claims 54 through 58 and claims 61 through 65.

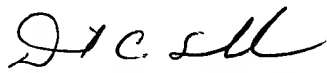
Because these claims are not anticipated by the Stinson reference, the rejection of these claims as anticipated should be withdrawn.

The rejection, as anticipated under § 102, of claim 46 and all claims dependent on claim 46, is overcome by amendment.

Claim 46 has been amended to recite a bioresorbable stent having a non-compressed diameter of between approximately 12 and 18 millimeters, while still comprising a bioresorbable member comprising a blend of at least two bioresorbable, bio-compatible homopolymers. The Office action does not address the feature of stent diameter, even though diameter is featured in pending claim 58, which claim is rejected as anticipated by Stinson. The Stinson reference is not shown to identically teach, i.e., anticipate, a bioresorbable stent according to claim 46, featuring the recited blend of homopolymers and the recited diameter. Thus, reconsideration and withdrawal of the rejection of claim 46 and claims dependent on claim 46, as anticipated by the Stinson reference, are requested.

The Examiner is invited to contact the undersigned, at the Examiner's convenience, should the Examiner have any questions regarding this communication or the present patent application.

Respectfully Submitted,

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